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10/007,807	12/05/2001	Hideyuki Takeda	NAK1-BQ68	8576

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EXAMINER	
BENGZON, GREG C	
ART UNIT	**PAPER NUMBER**
2144	

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/007,807	TAKEDA, HIDEYUKI	
	Examiner	Art Unit	
	Greg Bengzon	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This application has been examined. Claims 1-26 are pending.

Priority

Receipt is acknowledged of a certified copy of the 2000-372072 (JAPAN) application referred to in the oath or declaration or in an application data sheet.

The effective date of the subject matter claimed in this application is December 6, 2000.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on December 6, 2001 was filed after the mailing date of the application on December 5, 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US Patent 6546419), hereinafter referred to as Humpleman, in view of Hanai et al. (US Patent 5557585), hereinafter referred to as Hanai, further in view of Latham et al. (US Patent 5968133), hereinafter referred to as Latham.

With respect to Claim 1, Humpleman substantially discloses a time managing apparatus that manages times clocked by a plurality of timer modules in apparatuses connected to each other on a network (Figures 3, Figure 4 Item 26, Figure 7 Item 28, Column 5 Lines 5-65, Column 7 Lines 1-15 Lines 50-65) , the time managing apparatus comprising: a holding means for holding event start time information that indicates an event start time at which one or more events should be started by two or more apparatuses on the network (Figure 4, Column 5 Lines 65, Column 6 Lines 1-15, Column 19 Lines 1-15); a time receiving means for receiving the standard time (Column 6 Lines 30-35, Column 22 Lines 35-40, Column 24 Lines 30-40); a judging means for judging whether the event start time is reached, by comparing the received standard time with the event start time; and an instructing means for instructing

the two or more apparatuses to start executing the one or more events when the judging means judges that the event start time is reached. (Column 10 Lines 50-65, Column 12 Lines 10-25, Column 23 Lines 50-65, Column 24 Lines 45-65)

With respect to Claim 2, Humpleman substantially discloses the time managing apparatus of claim 1, wherein the holding means holds presetting information which contains, as a pair, the event start time information and a module identifier of the timer module. (Figure 4 Item 28, Column 5 Lines 65, Column 6 Lines 1-15, Column 18 Lines 45-50, Column 19 Lines 1-35) The Examiner notes that according to Figure 16 of the Applicant's specification, the timer module is identified by the timer source of the source information. The Examiner highlights Column 18 Lines 45-50, Column 19 Lines 1-35, Column 23 Lines 15-20, and Column 24 Lines 35-40 as presenting evidence of Humpleman 's disclosure regarding identification of the timer module.

With respect to Claim 3, Humpleman discloses the time managing apparatus of claim 2, wherein when the judging means judges that the event start time is reached, the instructing means transmits triggers [for the one or more events] to the two or more apparatuses so that the two or more apparatuses start executing the one or more events simultaneously. (Column 10 Lines 50-65, Column 23 Lines 5-30, Column 10 Lines 5-20)

With respect to Claim 4, Humpleman discloses the time managing apparatus of claim 2, wherein the presetting information further contains, for each event, (a) event type information indicating an event type (Column 7 Lines 60-65) and (b) an apparatus identifier of an apparatus that should execute the event (Column 8 Lines 30-40), and when the judging means judges that the event start time is reached, the instructing means transmits pieces of event type information corresponding to the one or more events to apparatuses having apparatus identifiers corresponding to the one or more events so that the apparatuses start executing the one or more events simultaneously. (Figure 4, Column 23 Lines 1-40, Column 5 Lines 65, Column 6 Lines 1-10, Column 10 Lines 5-20, Column 19 Lines 1-15)

With respect to Claim 5, Humpleman discloses the time managing apparatus of claim 4 further comprising: a presetting information receiving means for receiving presetting information from outside and getting the holding means to hold the received presetting information; (Figure 4, Column 23 Lines 1-40, Column 5 Lines 65, Column 6 Lines 1-10) and a module identifier storage means for storing module identifiers by correlating the module identifiers with at least one of event type information and apparatus identifiers, the module identifiers being received by the presetting information receiving means together with the presetting information, (Column 8 Lines 30-40), wherein if the presetting information receiving means receives at least one of a piece of event type information and an apparatus identifier together with the presetting information, the presetting information receiving means

searches the module identifier storage means for a module identifier that correlates with the received piece of event type information and/or apparatus identifier, and if the presetting information receiving means finds such a module identifier, the presetting information receiving means allows the found module identifier to be selected automatically. (Figure 10-11, Column 9 Lines 20-65)

With respect to Claim 6, Humpleman substantially discloses a time managing apparatus that manages times clocked by a plurality of timer modules in apparatuses connected to each other on a network, the time managing apparatus ; (Figure 4, Column 23 Lines 1-40, Column 5 Lines 65, Column 6 Lines 1-10) comprising: a presetting information receiving means for receiving from outside (a) event start time information that indicates an event start time at which one or more events should be started by two or more apparatuses on the network, (b) event type information indicating an event type for each of the one or more events, and (c) apparatus identifiers of apparatuses that should execute the one or more events; a time receiving means for receiving a standard time. (Column 8 Lines 30-40, Figure 10-11, Column 9 Lines 20-65)

With respect to Claim 7, Humpleman substantially discloses the time managing apparatus of claim 6, wherein the time managing means manages the times clocked by the plurality of timer modules using different pieces of management information assigned to the plurality of timer modules, (Figure 4, Column 23 Lines 1-40, Column

5 Lines 65, Column 6 Lines 1-10) the presetting information receiving means further receives a piece of management information that corresponds to the received event start time, the presetting information transmitting means further transmits the received piece of management information to the apparatuses. (Column 8 Lines 30-40, Figure 10-11, Column 9 Lines 20-65, Column 18 Lines 45-50, Column 19 Lines 1-35)

With respect to Claim 9, Humpleman discloses the time managing apparatus of claim 8 further comprising: a management information storage means for storing the piece of management information received by the presetting information receiving means, by correlating the piece of management information with at least one of a piece of event type information and two or more apparatus identifiers, (Figure 4, Column 23 Lines 1-40, Column 5 Lines 65, Column 6 Lines 1-10) wherein if the presetting information receiving means receives at least one of a piece of event type information and an apparatus identifier, the presetting information receiving means searches the management information storage means for a piece of management information that correlates with the received piece of event type information and/or apparatus identifier, (Column 8 Lines 30-40) and if the presetting information receiving means finds such a piece of management information, the presetting information receiving means allows the found piece of management information to be selected automatically. (Figure 10-11, Column 9 Lines 20-65)

With respect to Claims 10-11, the Applicant describes an apparatus with substantially the same limitations as described in Claim 1-9. Claims 10-11 are rejected on the same basis as Claims 1-9.

With respect to Claims 12-14, the Applicant describes an apparatus with substantially the same limitations as described in Claim 1-9. Claims 12-14 are rejected on the same basis as Claims 1-9.

With respect to Claims 15-20, the Applicant describes a method for the apparatus with substantially the limitations as described in Claim 1-9. Claims 15-20 are rejected on the same basis as Claims 1-9.

With respect to Claims 21-26, the Applicant describes a program for the apparatus with substantially the limitations as described in Claim 1-9. Claims 15-20 are rejected on the same basis as Claims 1-9.

Humpleman discloses of 1) devices in the home network having independent system clocks, 2) of the possibility of acquiring different clock settings (Column 23 Lines 18, Column 24 Lines 35), and 3) of means of identifying the timer source, 4)

setting the device parameters, such the device clock. (Column 22 Lines 35), and 5) setting parameters for delayed operation (Column 24 Lines 20-25). The Examiner notes that Humpleman makes a suggestion towards clock synchronization with the source information by stating :

' the Timer_record provides interface for set-up data for a controller application 82 to implement delayed time recording. Direct channel tune information and flow control (time_aparams) information can be utilized.'

However, Humpleman does not disclose the apparatus actively sending requests to acquire the timer source clock and synchronize the device clocks accordingly. Humpleman does not disclose continuously receiving the 'standard' time according to the timer source, and does not disclose of calculation means to determine the difference between the local time and standard time.

With respect to Claims 1 and 2, Humpleman does not disclose a time requesting means for requesting a timer module to transmit a standard time; and the time requesting means requests the timer module having the module identifier to transmit the standard time.

With respect to Claim 6, Humpleman does not disclose the apparatus receiving a standard time from a timer module; a time managing means for managing the received standard time; a standard time acquisition request receiving means for receiving a standard time acquisition request from each of the apparatuses; and a

standard time transmitting means for transmitting the standard time to each of the apparatuses.

With respect to Claim 7, Humpleman does not disclose the apparatus wherein the time receiving means receives a standard time from a timer module corresponding to the received piece of management information, the standard time acquisition request receiving means receives a standard time acquisition request and a piece of management information attached to the standard time acquisition request, from each of the apparatuses, and the standard time transmitting means transmits, to each of the apparatuses, the standard time received from the timer module corresponding to the received piece of management information.

With respect to Claim 8, Humpleman does not disclose the apparatus the time managing apparatus of claim 7 further comprising: a time output requesting means for requesting the timer module corresponding to the received piece of management information to output the standard time, wherein the time receiving means receives the standard time from the timer module requested by the time output requesting means to output the standard time.

With respect to Claim 10, Humpleman does not disclose the apparatus having a time output requesting means for requesting the timer module identified by the received

module identifier to output a standard time; a time receiving means for receiving the standard time from the timer module.

With respect to Claim 12, Humpleman does not disclose the apparatus indicating the timer module being used as a standard timer module for synchronization; a time requesting means for requesting the designated timer module to output a standard time; a time receiving means for receiving the standard time from the requested timer module; and a time transmitting means for transmitting the received standard time to the other timer modules among the plurality of timer modules excluding the timer module that output the standard time, instructing the other timer modules to synchronize times thereof with the transmitted standard time.

With respect to Claim 13, Humpleman does not disclose the apparatus having a time acquisition request transmitting means for transmitting to the apparatus a time acquisition request with the received piece of management information attached thereto; a time receiving means for receiving from the apparatus a standard time identified by the transmitted piece of management information.

With respect to Claim 14, Humpleman does not disclose the apparatus wherein the presetting information receiving means is continuously receiving a standard time from a time module; a time difference calculating means for calculating a time difference between the local time received from the time clocking means and the standard time.

Hanai discloses of a system for automatically acquiring a 'standard' time according to the timer source of an RF broadcast content provider. A broadcast signal receiver , such as a satellite broadcast receiver, has an internal clock that controls an internal or external tuner which receives a plurality of broadcast signals. The tuner is instructed to tune to a pre-determined broadcast signal which includes time data indicating a local time. The broadcast signal tuned to is supplied as a tuned output signal. The time data is extracted from the tuned output signal and the internal clock of the broadcast signal receiver is automatically set to the local time indicated by the time data.

Hanai discloses that it is beneficial to synchronize the internal clock of a recording device with the timer of the broadcasting source for time-delayed operations. The timer information may be received over the broadcast signal and may be extracted accordingly. (Column 4 Lines 30-40, Column 5 Lines 35-45, Column 6 Lines 45-50) Since the time data is being continuously transmitted in the broadcast signal, the receiver is thus continuously receiving the 'standard' time from the timer source. Furthermore Hanai discloses that the system may calculate the difference between the current time of the internal clock on the receiver and that of the time indicated on the broadcast signal. (Column 7 Lines 1-15)

However Hanai does not disclose of obtaining timer information from non-RF broadcast signals, such as those from Internet content providers. Hanai does not disclose of actively sending a request to obtain the 'standard' time from an external clock, and of transmitting said 'standard' time to other timer modules in the network.

Latham discloses of an enhanced network time synchronization method, wherein the devices on a network send requests to obtain time information from a selection of external sources, such as another computer or server on the network. (Column 4 Lines 15-25, Column 4 Lines 45-55, Column 5 Lines 5-10) Furthermore, the 'standard' time may be broadcast to the various devices on the network.(Column 5 Lines 45-60) Latham also discloses of calculating the time while taking into account known delays such that the clock register is set with a very accurate time indication. (Column 5 Lines 15-25)

It is respectfully suggested that at the time of the invention it would have been obvious to combine the teachings of Hanai and Latham into the method and apparatus of Humpleman , such that the devices attached to the home network are able to continuously obtain the time information from both RF and Internet broadcast signal sources and synchronize the internal clock on the device with the pre-determined broadcast sources. By effecting said combination each device on the home network may acquire a 'standard' time independently from one another and provide accurate time-delay functionality. The suggested motivation for doing so would have been, as

Hanai suggests, to overcome the difficulties in manually and constantly synchronizing the internal clocks on recording devices with the different broadcast signal sources. As Latham suggests, synchronizing internal clocks with network clocks ensure that time triggered events occur when desired.

Therefore it would have been obvious to incorporate the teachings of Hanai and Latham into the apparatus of Humpleman , in order to obtain the invention described in Claims 1-9 and Claims 10-14.

Similarly, it would have been obvious to incorporate the teachings of Hanai and Latham into the methods of Humpleman , in order to obtain the invention described in Claims 15-20.

Similarly, it would have been obvious to incorporate the teachings of Hanai and Latham into the programs of Humpleman , in order to obtain the invention described in Claims 21-26.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571)272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcb

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